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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

56959C1

In re Application of: **Michael STROBEL**

Application No.: **10/806,683**

Filed: **June 6, 2003**

For: **Application of Water and Organic Solvent Soluble Ivermectin for Topical and Oral Use**

The owner*, **Pharmaceutical Solutions, Inc.**, of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. **6,627,613** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. **33,771**

John W. Ryan
Signature

August 23, 2006
Date

John W. Ryan

Typed or printed name

(202) 624-2740
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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